



July 30, 2014

**VIA EMAIL & CERTIFIED MAIL/  
RETURN RECEIPT REQUESTED**

Jeremy Johnstone, Environmental Engineer  
U.S. Environmental Protection Agency (SFD-9-3)  
75 Hawthorne Street  
San Francisco, CA 94105  
johnstone.jeremy@epa.gov

**Re: Puna Geothermal Venture's Response to the U.S. Environmental Protection Agency's  
April 29, 2014 Findings of Violation and Request for Information**

Dear Mr. Johnstone:

Enclosed are Puna Geothermal Venture's ("PGV") responses to the U.S. Environmental Protection Agency's ("USEPA") Findings of Violation and Requests for Information ("FOV"), dated April 29, 2014. In correspondence with PGV's outside counsel, USEPA agreed to extend the deadline for PGV to respond to the FOV until July 31, 2014. In exchange for USEPA's agreement to grant this extension, PGV executed a tolling agreement on June 20, 2014, extending until July 15, 2015 the tolling period for claims that may be brought pursuant to the FOV. PGV takes seriously its environmental obligations and endeavors to exceed regulatory requirements and industry standards in order to assure maximum protection to both human health and the environment. We appreciate the opportunity to address USEPA's concerns.

PGV has provided responses to EPA Information Request Nos. 1 and 2 in narrative form. In addition to PGV's narrative responses, supporting documents are included on the disk that accompanies these responses. Documents responsive to each request may be found in folders labeled according to the numbered EPA Finding of Violation and have been sequentially Bates numbered. PGV is providing information responsive to Request No. 3 on the enclosed disk in a folder labeled "PGV Financial Information." These documents have also been Bates numbered.

PGV asserts that USEPA's inspection report, PGV's narrative responses to USEPA's FOV, certain of the documents supporting PGV's responses to USEPA's FOV, and the information found in the folder labeled "PGV Financial Information" are all confidential business information ("CBI"). The information covered by PGV's CBI claim is not otherwise publicly available and is entitled to confidential treatment under 40 C.F.R. §§ 2.208 and 2.301. A "Confidential Business Information" stamp has been placed on each page of the relevant document.

PGV is aware that EPA contracted with Geothermal Resource Group, a geothermal development and management service, and Science Application International Corporation

## ORMAT TECHNOLOGIES, INC.

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("SAIC"), to participate in the August 21, 2013 inspection of the PGV facility. SAIC is a direct competitor of Ormat Technologies Inc., which owns PGV and whose technology PGV is using at its facility, and Geothermal Resource Group regularly contracts with competitors of Ormat Technologies, Inc. Pursuant to 40 C.F.R. § 2.301(h)(ii)(A)-(C), EPA may disclose confidential business information to authorized representatives, including contractors, only if "such disclosure is necessary in order that the contractor or subcontractor may carry out the work required" by the contract and only if: (1) the contractor uses the information only for the purpose of the contact, refrains from disclosing the information to anyone other than EPA without Ormat Technologies Inc. and PGV's consent, and returns all information to EPA at the close of the contract; (2) the contractor obtains written agreement from its employees to honor the terms of the contract before the employee is allowed access to the information; and (3) the contractor acknowledges and agrees that the use and disclosure of business information shall be enforceable both by the U.S. government as well as Ormat Technologies Inc. and PGV, as the affected business entities having an interest in the information being supplied.

To the extent that either SAIC or Geothermal Resource Group will be further involved in this matter, Ormat Technologies Inc. and PGV request confirmation that Geothermal Resource Group and SAIC have complied with the above-stated requirements. Additionally, Ormat Technologies Inc. and PGV request notice of the contemplated disclosure to SAIC and/or Geothermal Resource Group pursuant to 40 C.F.R. § 2.301(h)(iii), including a description of the extent to which EPA intends to disclose PGV's narrative responses and supporting documents labeled as CBI to either of these companies. PGV also asserts that the financial information requested pursuant to Request No. 3 is not necessary for purposes of assessing PGV's compliance with the Clean Air Act and should not be disclosed to either SAIC or Geothermal Resource Group.

If you have any questions with regard to either PGV's responses to USEPA's FOV or the enclosed documents, please contact PGV's outside counsel, Emily Schilling, at (202) 654-6922 or [ecschilling@hollandhart.com](mailto:ecschilling@hollandhart.com).

Sincerely,

Ohad Zimron  
Senior Vice President, Operations  
Ormat Technologies, Inc.

cc: Mr. Cliff Townsend, Plant Manager, PGV  
Mr. George Wells, Environmental Health & Safety Coordinator, PGV  
Ms. Emily C. Schilling, Holland & Hart